

(c) **Promotions and demotions of officers; increase and decrease of salaries; separations from services.**—The Secretary of Agriculture is authorized to promote or demote in grade or class, to increase or decrease within the salary ranged fixed for the class the compensation of, and to separate from the service, officers of the Foreign Agricultural Service, but in so doing the Secretary shall take into consideration records of efficiency.

(d) **Officers as having character of public minister.**—No officer of the Foreign Agricultural Service shall be considered as having the character of a public minister.

(e) **Assignment of officers to duties in United States.**—Any officer of the Foreign Agricultural Service may be assigned for duty in the United States for a period of not more than three years without change in grade, class, or salary, or with such change as the Secretary of Agriculture may direct.

(f) **Expenses of transportation and subsistence of officers and families in going to and from posts; leaves of absence; requiring service from officers on leave.**—The Secretary of Agriculture is authorized to pay the expenses of transportation and subsistence of officers in the Foreign Agricultural Service of the United States and their immediate families in going to and returning from their posts under orders from the Secretary of Agriculture. The Secretary of Agriculture is further authorized, whenever he deems it in the public interest, to order to the United States on his official leave of absence any Foreign Agricultural Service officer who has performed three years or more of continuous service abroad: *Provided*, That the expenses of transportation and subsistence of such officers and their immediate families in travelling to their homes in the United States and return shall be paid under the same rules and regulations applicable in the case of officers going to and returning from their posts under orders of the Secretary of Agriculture when not on leave: *Provided further*, That while in the United States the services of such officers shall be available for such duties in the Department of Agriculture and elsewhere in the United States as the Secretary of Agriculture may prescribe. Any officer in the Foreign Agricultural Service, in the discretion of the Secretary of Agriculture, may be given leave of absence with pay for not to exceed thirty days for any one year, which may be taken in the United States or elsewhere, accumulative for three years, under such rules and regulations as the Secretary of Agriculture shall prescribe. (June 5, 1930, c. 399, § 2, 46 Stat. 498.)

For title of Act see note to § 541.

543. (a) **Clerks and assistants to officers; appointment; compensation; promotion and demotion; separation from service.**—Subject to the requirements of the civil service laws, and the rules and regulations promulgated thereunder, the Secretary of Agriculture is authorized to appoint, fix the compensation of, promote, demote, and separate from the service such clerks and other assistants for officers of the Foreign Agricultural Service as he may deem necessary.

(b) **Employment of American citizens in foreign countries by Service officers.**—When authorized by the Secretary of Agriculture, officers of the Foreign Agricultural Service may employ American citizens in a foreign country from time to time, fix the compensation of, and separate from the service such clerical and other assistants as may be necessary. (June 5, 1930, c. 399, § 3, 46 Stat. 499.)

For title of Act see note to § 541.

544. (a) **Officers and employees of Department of Agriculture on duty outside continental limits of United States; expenses for travel and subsistence.**—Any officer, assistant, clerk, or employee of the Department of Agriculture, while on duty outside of the continental limits of the United States and away from the post to which he is assigned, shall be entitled to

receive his necessary traveling expenses and his actual expenses for subsistence, or a per diem in lieu of subsistence, equal to that paid to other officers of the Government when engaged in analogous foreign service.

(b) **Clerical and other assistants employed by officer of Foreign Agricultural Service; allowance for subsistence while outside continental limits.**—The Secretary of Agriculture may authorize any officer of the Foreign Agricultural Service to fix, in an amount not exceeding the allowance fixed for such officer, an allowance for actual subsistence, or a per diem allowance in lieu thereof, for any clerical or other assistant employed by such officer under subdivision (b) of section 543 of this title when such clerical or other assistant is engaged in travel outside the continental limits of the United States and away from the post to which he is assigned.

(c) **Officers and employees of Foreign Agricultural Service on duty within continental limits of United States; expenses for travel and subsistence.**—Any officer, assistant, clerk, or employee of the Foreign Agricultural Service, while on duty within the continental limits of the United States, shall be entitled to receive the travelling expenses and actual expenses incurred for subsistence, or per diem allowance in lieu thereof, authorized by law. (June 5, 1930, c. 399, § 4, 46 Stat. 499.)

For title of Act see note to § 541.

545. **Authority of Secretary of Agriculture as to regulations, cooperation with various departments and agencies, and expenditures for rent, supplies, and so forth.**—The Secretary of Agriculture may make such rules and regulations as may be necessary to carry out the provisions of this chapter and may cooperate with any department or agency of the Government, State, Territory, District, or possession, or department, agency, or political subdivision thereof, cooperative and other farm organizations, or any person, and shall have power to make such expenditures for rent outside the District of Columbia, for printing, telegrams, telephones, law books, books of reference, maps, publications, furniture, stationery, office equipment, travel and subsistence allowances, and other supplies and expenses as shall be necessary to the administration of this chapter in the District of Columbia and elsewhere. With the approval of the Secretary of Agriculture an officer of the Foreign Agricultural Service may enter into leases for office quarters, and may pay rent, telephone, subscriptions to publications, and other charges incident to the conduct of his office and the discharge of his duties, in advance in any foreign country where custom or practice requires payment in advance. (June 5, 1930, c. 399, § 5, 46 Stat. 499.)

For title of Act see note to § 541.

Chapter 24.—PERISHABLE AGRICULTURAL COMMODITIES ACT.

Section 551. **Definitions.**—When used in this chapter—

(1) The term "person" includes individuals, partnerships, corporations, and associations;

(2) The term "Secretary" means the Secretary of Agriculture;

(3) The term "interstate or foreign commerce" means commerce between any State or Territory, or the District of Columbia and any place outside thereof; or between points within the same State or Territory, or the District of Columbia but through any place outside thereof; or within the District of Columbia;

(4) The term "perishable agricultural commodity" means any of the following, whether or not frozen or packed in ice: Fresh fruits and fresh vegetables of every kind and character;

(5) The term "commission merchant" means any person engaged in the business of receiving in interstate or foreign commerce any perishable agricultural commodity for sale, on commission, or for or on behalf of another;

(6) The term "dealer" means any person engaged in the business of buying or selling in carloads any perishable agricultural commodity in interstate or foreign commerce, except that (A) no producer shall be considered as a "dealer" in respect of sales of any such commodity of his own raising; and (B) no person buying any such commodity solely for sale at retail shall be considered as a "dealer" in respect of any such commodity in any calendar year until his purchases of such commodity in carloads in such year are in excess of twenty. Any person not considered as a "dealer" under clauses (A) and (B) may elect to secure a license under the provisions of section 553, and in such case and while the license is in effect such person shall be considered as a "dealer". As used in this paragraph, the term "in carloads" includes corresponding wholesale or jobbing quantities as defined for any such commodity by the Secretary;

(7) The term "broker" means any person engaged in the business of negotiating sales and purchases of any perishable agricultural commodity in interstate or foreign commerce for or on behalf of the vendor or the purchaser, respectively;

(8) A transaction in respect of any perishable agricultural commodity shall be considered in interstate or foreign commerce if such commodity is part of that current of commerce usual in the trade in that commodity whereby such commodity and/or the products of such commodity are sent from one State with the expectation that they will end their transit, after purchase, in another, including, in addition to cases within the above general description, all cases where sale is either for shipment to another State, or for processing within the State and the shipment outside the State of the products resulting from such processing. Commodities normally in such current of commerce shall not be considered out of such commerce through resort being had to any means or device intended to remove transactions in respect thereto from the provisions of this chapter. (June 10, 1930, c. 436, § 1, 46 Stat. 531.)

The Act cited to the text was entitled "An Act to suppress unfair and fraudulent practices in the marketing of perishable agricultural commodities in interstate and foreign commerce."

UNFAIR CONDUCT

552. What constitutes.—It shall be unlawful in or in connection with any transaction in interstate or foreign commerce—

(1) For any commission merchant or broker to make any fraudulent charge in respect of any perishable agricultural commodity received in interstate or foreign commerce;

(2) For any dealer to reject or fail to deliver in accordance with the terms of the contract without reasonable cause any perishable agricultural commodity bought or sold or contracted to be bought or sold in interstate or foreign commerce by such dealer;

(3) For any commission merchant to discard, dump, or destroy without reasonable cause any perishable agricultural commodity received by such commission merchant in interstate or foreign commerce;

(4) For any commission merchant, dealer, or broker to make, for a fraudulent purpose, any false or misleading statement concerning the condition, quality, quantity, or disposition of, or the condition of the market for, any perishable agricultural commodity which is received in interstate or foreign commerce by such commission merchant, or bought or sold or contracted to be bought or sold in such commerce by such dealer; or the purchase or sale of which in such commerce is negotiated by such broker; or to fail or refuse truly and correctly to account promptly in respect of any such transaction in any such commodity to the person with whom such transaction is had;

(5) For any commission merchant, dealer, or broker, for a fraudulent purpose, to represent by word, act, or deed that

any perishable agricultural commodity received in interstate or foreign commerce was produced in a State or in a country other than the State or the country in which such commodity was actually produced;

(6) For any commission merchant, dealer, or broker, for a fraudulent purpose, to remove, alter, or tamper with any card, stencil, stamp, tag, or other notice, placed upon any container or railroad car containing any perishable agricultural commodity, if such card, stencil, stamp, tag, or other notice contains a certificate under authority of any Federal or State inspector as to the grade or quality of the commodity contained in such container or railroad car or the State or country in which such commodity was produced. (June 10, 1930, c. 436, § 2, 46 Stat. 532.)

For title of Act see note to § 551.

LICENSES .

553. (a) By whom license required; penalty for failure to obtain.—After December 10, 1930, no person shall at any time carry on the business of a commission merchant, dealer, or broker without a license valid and effective at such time. Any person who violates any provision of this subdivision shall be liable to a penalty of not more than \$500 for each such offense and not more than \$25 for each day it continues, which shall accrue to the United States and may be recovered in a civil suit brought by the United States.

(b) **Application; to whom made; contents; fee.**—Any person desiring any such license shall make application to the Secretary. The Secretary may by regulation prescribe the information to be contained in such application. Upon the filing of the application, and annually thereafter, the applicant shall pay a fee of \$10. (June 10, 1930, c. 436, § 3, 46 Stat. 533.)

For title of Act see note to § 551.

554. (a) Issuance of license; authority exercised thereunder; termination.—Whenever an applicant has paid the prescribed fee the Secretary, except as provided in subdivision (h) of this section, shall issue to such applicant a license, which shall entitle the licensee to do business as a commission merchant and/or dealer and/or broker unless and until it is suspended or revoked by the Secretary in accordance with the provisions of this chapter, but said license shall automatically terminate unless the annual fee is paid within thirty days after notice has been mailed that payment is due.

(b) **Refusal of license; grounds; effect of giving bond.**—The Secretary shall refuse to issue a license to an applicant if after notice and hearing he finds (1) that the applicant has previously been responsible in whole or in part for any violation of the provisions of section 552 of this chapter for which a license of the applicant, or the license of any partnership, association, or corporation in which the applicant held any office or, in the case of a partnership, had any share or interest, was revoked, or (2) in case the applicant is a partnership, association, or corporation, that any individual holding any office or, in the case of a partnership, having any interest or share in the applicant, had previously been responsible in whole or in part for any violation of the provisions of section 552 of this chapter for which the license of such individual, or of any partnership, association, or corporation in which such person held any office, or, in the case of a partnership, had any share or interest, was revoked. Notwithstanding the foregoing provisions, the Secretary, in the case of such applicant, may issue a license if the applicant furnishes a bond or other satisfactory assurance that his business will be conducted in accordance with the provisions of this chapter, but such license shall not be issued before the expiration of one year from the date of such revocation. (June 10, 1930, c. 436, § 4, 46 Stat. 533.)

For title of Act see note to § 551.

LIABILITY TO PERSON DAMAGED

555. (a) Amount of damages.—If any commission merchant, dealer, or broker violates any provision of paragraph (1), (2), (3), or (4) of section 552 of this chapter he shall be liable to the person or persons injured thereby for the full amount of damages sustained in consequence of such violation.

(b) Remedies.—Such liability may be enforced either (1) by complaint to the Secretary as hereinafter provided, or (2) by suit in any court of competent jurisdiction; but this section shall not in any way abridge or alter the remedies now existing at common law or by statute, and the provisions of this chapter are in addition to such remedies. (June 10, 1930, c. 436, § 5, 46 Stat. 534.)

For title of Act see note to § 551.

COMPLAINT AND INVESTIGATION

556. (a) Petition to Secretary of Agriculture; time of making; contents; service; answer.—Any person complaining of any violation of any provision of section 552 of this chapter by any commission merchant, dealer, or broker may, at any time within nine months after the cause of action accrues, apply to the Secretary by petition, which shall briefly state the facts, whereupon, if, in the opinion of the Secretary, the facts therein contained warrant such action, a copy of the complaint thus made shall be forwarded by the Secretary to the commission merchant, dealer, or broker, who shall be called upon to satisfy the complaint, or to answer it in writing, within a reasonable time to be prescribed by the Secretary.

(b) Complaint to Secretary requesting investigation of violations; by whom made.—Any officer or agency of any State or Territory having jurisdiction over commission merchants, dealers, or brokers in such State or Territory and any employee of the United States Department of Agriculture or any interested person, may file, in accordance with rules and regulations of the Secretary a complaint of any violation of any provision of section 552 of this chapter by any commission merchant, dealer, or broker, and may request an investigation of such complaint by the Secretary.

(c) Service of complaint; hearing.—If there appear to be, in the opinion of the Secretary, any reasonable grounds for investigating any complaint made under this section, the Secretary shall investigate such complaint and may, if in his opinion the facts warrant such action, have said complaint served by registered mail or otherwise on the person concerned and afford such person an opportunity for a hearing thereon before a duly authorized examiner of the Secretary in any place in which the said person is engaged in business.

(d) Determination by Secretary of violations.—After an opportunity for a hearing on a complaint the Secretary shall determine whether or not the commission merchant, dealer, or broker has violated any provision of section 552 of this chapter.

(e) Complaints by nonresidents; bond for costs and fees.—In case complaint is made by a nonresident of the United States before any action is taken thereon, that the complainant shall be required to furnish a bond of double the amount of the claim, the bond to be conditioned upon the payment of costs, including attorney's fees of respondents, in case of failure to sustain the case. (June 10, 1930, c. 436, § 6, 46 Stat. 534.)

For title of Act see note to § 551.

REPARATION ORDER

557. (a) Determination by Secretary of Agriculture of amount of damages; order for payment.—If after a hearing on a complaint made by any person under section 556 of this chapter the Secretary determines that the commission merchant, dealer, or broker has violated any provision of paragraph (1), (2), (3), or (4) of section 552 of this chapter, he shall,

unless the offender has already made reparation to the person complaining, determine the amount of damage, if any, to which such person is entitled as a result of such violation and shall make an order directing the offender to pay to such person complaining such amount on or before the date fixed in the order.

(b) Failure to comply with order of Secretary; suit in Federal court to enforce liability; order of Secretary as evidence; costs and fees.—If any commission merchant, dealer, or broker does not comply with an order for the payment of money within the time limit in such order, the complainant, or any person for whose benefit such order was made, may within one year of the date of the order file in the district court of the United States for the district in which he resides or in which is located the principal place of business of the commission merchant, dealer, or broker, or in any State court having general jurisdiction of the parties, a petition setting forth briefly the causes for which he claims damages and the order of the Secretary in the premises. Such suit in the district court shall proceed in all respects like other civil suits for damages except that the findings and orders of the Secretary shall be prima facie evidence of the facts therein stated, and the petitioner shall not be liable for costs in the district court nor for costs at any subsequent state of the proceedings unless they accrue upon his appeal. If the petitioner finally prevails, he shall be allowed a reasonable attorney's fee, to be taxed and collected as a part of the costs of the suit. (June 10, 1930, c. 436, § 7, 46 Stat. 534.)

For title of Act see note to § 551.

SUSPENSION AND REVOCATION OF LICENSE

558. Grounds for suspension or revocation of license.—Whenever the Secretary determines, as provided in section 556 of this chapter, that any commission merchant, dealer, or broker has violated any of the provisions of section 552 of this chapter, he may publish the facts and circumstances of such violation and/or, by order, suspend the license of such offender for a period not to exceed ninety days, except that, if the violation is a flagrant or repeated violation of such provisions, the Secretary may, by order, revoke the license of the offender. (June 10, 1930, c. 436, § 8, 46 Stat. 535.)

For title of Act see note to § 551.

ACCOUNTS AND RECORDS

559. Accounts, records, and memoranda; duty of licensees to keep; contents; suspension of license for violation of duty.—Every commission merchant, dealer, and broker shall keep such accounts, records, and memoranda as fully and correctly disclose all transactions involved in his business, including the true ownership of such business by stockholding or otherwise. If such accounts, records, and memoranda are not so kept, the Secretary may publish the facts and circumstances and/or, by order, suspend the license of the offender for a period not to exceed ninety days. (June 10, 1930, c. 436, § 9, 46 Stat. 535.)

For title of Act see note to § 551.

EFFECTIVE DATE AND FINALITY OF ORDER

560. Orders; when in effect; continuance in force; suspension, modification and setting aside; penalty.—Any order of the Secretary under this chapter other than an order for the payment of money shall take effect within such reasonable time, not less than ten days, as is prescribed in the order, and shall continue in force until his further order, or for a specified period of time, accordingly as it is prescribed in the order, unless such order is suspended, modified, or set aside by the Secretary or is suspended, modified, or set aside by a court of competent jurisdiction. Any such order of the Secretary, if regularly made, shall be final, unless before the date prescribed

for its taking effect application is made to a court of competent jurisdiction by the commission merchant, dealer, or broker against whom such order is directed to have such order set aside or its enforcement, operation, or execution suspended or restrained. (June 10, 1930, c. 430, § 10, 46 Stat. 535.)

For title of Act see note to § 551.

INJUNCTIONS

561. Application of injunction laws governing orders of Interstate Commerce Commission.—For the purposes of this chapter the provisions of all laws relating to the suspending or restraining of the enforcement, operation, or execution, or the setting aside in whole or in part, of the orders of the Interstate Commerce Commission are made applicable to orders of the Secretary under this chapter and to any person subject to the provisions of this chapter. (June 10, 1930, c. 430, § 11, 46 Stat. 535.)

For title of Act see note to § 551.

GENERAL PROVISIONS

562. Violation of provisions of chapter; report to Attorney General; proceedings in Federal courts.—The Secretary may report any violation of this chapter for which a civil penalty is provided to the Attorney General of the United States, who shall cause appropriate proceedings to be commenced and prosecuted in the proper courts of the United States without delay. The costs and expenses of such proceedings shall be paid out of the appropriation for the expenses of the courts of the United States. (June 10, 1930, c. 430, § 12, 46 Stat. 536.)

For title of Act see note to § 551.

563. (a) Investigation of complaints by Secretary of Agriculture; inspection of accounts, records and memoranda; penalty for refusing inspection.—In the investigation of complaints under this chapter, the Secretary or his duly authorized agents shall have the right to inspect such accounts, records, and memoranda of any commission merchant, dealer, or broker as may be material for the determination of any such complaint. If any such commission merchant, dealer, or broker refuses to permit such inspection, the Secretary may publish the facts and circumstances and/or, by order, suspend the license of the offender until permission to make such inspection is given.

(b) Hearings; subpoenas; oaths; witnesses; evidence.—The Secretary, or any officer or employee designated by him for such purpose, may hold hearings, sign and issue subpoenas, administer oaths, examine witnesses, receive evidence, and require by subpoena the attendance and testimony of witnesses and the production of such accounts, records, and memoranda as may be material for the determination of any complaint under this chapter.

(c) Disobedience to subpoena; remedy; contempt.—In case of disobedience to a subpoena, the Secretary or any of his examiners may invoke the aid of any court of the United States in requiring the attendance and testimony of witnesses and the production of accounts, records, and memoranda. Any district court of the United States within the jurisdiction of which any hearing is carried on may, in case of contumacy or refusal to obey a subpoena issued to any person, issue an order requiring the person to appear before the Secretary or his examiner or to produce accounts, records, and memoranda if so ordered, or to give evidence touching any matter pertinent to any complaint; and any failure to obey such order of the court shall be punished by the court as a contempt thereof.

(d) Depositions; production of accounts, records and memoranda.—The Secretary may order testimony to be taken by deposition in any proceeding or investigation or incident to any complaint pending under this chapter at any stage thereof. Such depositions may be taken before any person designated by

the Secretary and having power to administer oaths. Such testimony shall be reduced to writing by the person taking the deposition or under his direction and shall then be subscribed by the deponent. Any person may be compelled to appear and depose and to produce accounts, records, and memoranda in the same manner as witnesses may be compelled to appear and testify and produce accounts, records, and memoranda before the Secretary or any of his examiners.

(e) Fees and mileage of witnesses.—Witnesses summoned before the Secretary or any officer or employee designated by him shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like service in the courts of the United States.

(f) Incriminating nature of evidence as excuse for failure of witness to testify or produce.—No person shall be excused from attending, testifying, answering any lawful inquiry, or deposing, or from producing any documentary evidence, before the Secretary or any officer or employee designated by him, in obedience to the subpoena of the Secretary or any such officer or employee, in any cause or proceeding, based upon or growing out of any alleged violation of this chapter, or upon the taking of any deposition herein provided for, upon the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture. But no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing, concerning which he is compelled under oath so to testify, or produce evidence, documentary or otherwise, before the Secretary or any officer or employee designated by him, in obedience to the subpoena of the Secretary, or any such officer or employee, or upon the taking of any such deposition, or in any such cause or proceeding: *Provided*, That no person so testifying shall be exempt from prosecution and punishment for perjury committed in so testifying. (June 10, 1930, c. 430, § 13, 46 Stat. 536.)

For title of Act see note to § 551.

564. Inspection of perishable agricultural commodities; employment of inspectors; fees for and expenses of inspection; travel and subsistence of inspectors; certificates of inspectors as evidence.—The Secretary is hereby authorized, independently and in cooperation with other branches of the Government, State, or municipal agencies, and/or any person, whether operating in one or more jurisdictions, to employ and/or license inspectors to inspect and certify, without regard to the filing of a complaint under this chapter, to any interested person the class, quality, and/or condition of any lot of any perishable agricultural commodity when offered for interstate or foreign shipment or when received at places where the Secretary shall find it practicable to provide such service, under such rules and regulations as he may prescribe, including the payment of such fees and expenses as will be reasonable and as nearly as may be to cover the cost for the service rendered: *Provided*, That fees for inspections made by a licensed inspector, less the percentage thereof which he is allowed by the terms of his contract of employment with the Secretary as compensation for his services, shall be deposited into the Treasury of the United States as miscellaneous receipts; and fees for inspections made by an inspector acting under a cooperative agreement with a State, municipality, or other person shall be disposed of in accordance with the terms of such agreement: *Provided further*, That expenses for travel and subsistence incurred by inspectors shall be paid by the applicant for inspection to the disbursing clerk of the United States Department of Agriculture to be credited to the appropriation for carrying out the purposes of this chapter: *And provided further*, That

certificates issued by such inspectors shall be received in all courts of the United States as prima facie evidence of the truth of the statements therein contained. (June 10, 1930, c. 430, § 14, 46 Stat. 537.)

For title of Act see note to § 551.

565. Rules, regulations and orders by Secretary of Agriculture; appointment, removal, and compensation of officers and employees; expenditures; appropriations; abrogation of inconsistent statutes.—The Secretary may make such rules, regulations, and orders as may be necessary to carry out the provisions of this chapter and may cooperate with any department or agency of the Government, any State, Territory, District, or possession, or department, agency, or political subdivision thereof, or any person; and shall have the power to appoint, remove, and fix the compensation of such officers and employees not in conflict with existing law, and make such expenditures for rent outside the District of Columbia, printing, binding, telegrams, telephones, law books, books of reference, publications, furniture, stationery, office equipment, travel, and other supplies and expenses, including reporting services, as shall be necessary to the administration of this chapter in the District of Columbia and elsewhere, and as may be appropriated for by Congress; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for such purpose. This chapter shall not abrogate nor nullify any other statute, whether State or Federal, dealing with the same subjects as this chapter; but it is intended that all such statutes shall remain in full force

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and effect except in so far only as they are inconsistent herewith or repugnant hereto. (June 10, 1930, c. 430, § 15, 46 Stat. 537.)

For title of Act see note to § 551.

566. Liability of licensees for acts and omissions of agents.—In construing and enforcing the provisions of this chapter, the act, omission, or failure of any agent, officer, or other person acting for or employed by any commission merchant, dealer, or broker, within the scope of his employment or office, shall in every case be deemed the act, omission, or failure of such commission merchant, dealer, or broker as that of such agent, officer, or other person. (June 10, 1930, c. 430, § 16, 46 Stat. 538.)

For title of Act see note to § 551.

SEPARABILITY

567. Invalidity of separate provisions of chapter; effect on remainder.—If any provision of this chapter or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the chapter and of the application of such provision to other persons and circumstances shall not be affected thereby. (June 10, 1930, c. 430, § 17, 46 Stat. 538.)

For title of Act see note to § 551.

SHORT TITLE

568. Citation of chapter.—This chapter may be cited as the "Perishable Agricultural Commodities Act, 1930." (June 10, 1930, c. 430, § 18, 46 Stat. 538.)

For title of Act see note to § 551.